IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5644 OF 2007

Anna Ganu Shinde ....Petitioner
V/s
Bhagwan Rajaram More deceased by heirs
Smt.Vatsala Bhagwan More & Ors... ....Respondents.

Mr.N.J.Patil, Adv. For the petitioner.

CORAM: A.P.DESHPANDE, J.
6/8/07

PC:

A suit based on title and exclusive possession was filed claiming relief of perpetual injunction. The temporary injunction came to be granted in favour of the plaintiff-petitioner in respect of suit property. The suit is being contested and pending adjudication since the year 1998. Belatedly in the year 2007 the petitioner moved an application seeking to amend the suit by contending that the petitioner is in possession of the suit property under a family arrangement and also wanted to convert the suit into one for partition and separate possession. With that view in mind the petitioner sought to bring various other properties in the hot-pot and also proposed impledment of various parties. The trial Court has rejected the application by holding that the plea sought to be raised by the proposed amendment runs counter to the one raised in the plaint and thus proceeded to reject the amendment. Perused the order. As the petition is directed against an interlocutory order no interference is called for. The trial Court has taken very possible view of the matter. Hence writ petition is summarily dismissed.

6.8.07